

Remarks

In the Final Office Action mailed October 17, 2006, claims 38 – 41 and 43 – 53 were rejected under 35 U.S.C. § 103, the Office alleging the same as being unpatentable over U.S. Patent No. 5,911,732 to Hojeibane (hereinafter “Hojeibane”).

Claims 38 and 46 have been amended.

New claims 54 and 55 have been added.

The following comments are presented with headings and paragraph numbers corresponding to the rejections set forth in the Office Action.

Claim Rejections – 35 U.S.C. § 103

1. The Office erred in rejecting claims 38 – 41 and 43 – 53 under 35 U.S.C. § 103 as being unpatentable over Hojeibane at least for the reasons presented below.

Regarding Independent Claim 38 And Those Claims Dependent Therefrom

Claim 38 is provided below:

A stent having a longitudinal axis comprising a plurality of segments, including at least one coil segment connected to at least one serpentine segment, the at least one serpentine segment forming an annular ring about the longitudinal axis of the stent, the at least one coil segment having curved portions that extend at least 90 degrees about the longitudinal axis, immediately adjacent curved portions being longitudinally offset and having a substantially constant longitudinal distance between each other, each of the at least one coil segments extending along a greater longitudinal distance than each of the at least one serpentine segments, wherein either the coil segment is balloon expandable and the serpentine segment is self-expanding or the coil segment is self-expanding and the serpentine segment is balloon expandable. [Emphasis added].

There is no teaching, suggestion, or motivation provided in Hojeibane that “either the coil segment is balloon expandable and the serpentine segment is self-expanding or the coil segment is self-expanding and the serpentine segment is balloon expandable”, as recited in instant claim 38. [Emphasis added] Hojeibane does not teach that its spiral connector 5 can be expanded in a manner different from its cell type stents 271, 272, as provided for in claim 38. Because there is no teaching, suggestion, or motivation provided in Hojeibane to produce the stent as claimed in claim 38, the rejection is overcome. Applicants respectfully request that the rejection be withdrawn.

Regarding Independent Claim 46 and those Claims Dependent Therefrom

Instant claim 46 is provided below:

A stent comprising a coil segment and a tubular, serpentine segment, the coil segment being longer than the tubular serpentine segment in a longitudinal direction, the coil segment having curved portions that extend at least 90 degrees about the longitudinal axis, immediately adjacent curved portions being longitudinally offset and having a substantially constant distance between each other, either the coil segment is balloon expandable and the serpentine segment is self-expanding or the coil segment is self-expanding and the serpentine segment is balloon expandable. [Emphasis added].

There is no teaching, suggestion, or motivation provided in Hojeibane that “either the coil segment is balloon expandable and the serpentine segment is self-expanding or the coil segment is self-expanding and the serpentine segment is balloon expandable”, as recited in instant claim 46. [Emphasis added] Hojeibane does not teach that its spiral connector 5 can be expanded in a manner different from its cell type stents 271, 272, as provided for in claim 46. Because there is no teaching, suggestion, or motivation provided in Hojeibane to produce the

stent as claimed in claim 46, the rejection is overcome. Applicants respectfully request that the rejection be withdrawn.

Conclusion

For at least the reasons presented above, claims 38 – 41 and 43 – 53 are nonobvious. Consequently, reversal of the rejections is respectfully requested.

Respectfully submitted,

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